

**§ 1580.101 General statement.**

This part provides regulations for the Trade Adjustment Assistance (TAA) for Farmers program as authorized by the Trade Act of 1974, amended by Subtitle C of Title I of the Trade Act of 2002 (Pub. L. 107–210), and re-authorized and modified by the American Recovery and Reinvestment Act of 2009 (Pub. L. 111–5). The regulations establish procedures by which a group of producers of raw agricultural commodities or fishermen (jointly referred to as “producers”) can petition for certification of eligibility and through which individual producers covered by a certified petition can apply for technical assistance and cash benefits for the development and implementation of approved business adjustment plans.

**§ 1580.102 Definitions.**

As used in the part, the following terms mean:

*Agricultural commodity* means any commodity in its raw or natural state; found in chapters 1, 3, 4, 5, 6, 7, 8, 10, 12, 14, 23, 24, 41, 51, and 52 of the Harmonized Tariff Schedule of the United States (HTS).

*Articles like or directly competitive* generally means products falling under the same HTS number used to identify the agricultural commodity in the petition. A “like” product means substantially identical in inherent or intrinsic characteristics, and the term “directly competitive” means articles that are substantially equivalent for commercial purposes (*i.e.*, adapted to the same uses and essentially interchangeable therefore). For fishery products, competition could be either from farm-raised or wild-caught products.

*Authorized representative* means an entity that represents a group of agricultural commodity producers or fishermen.

*Average price received by the producer* means the average of the 3 marketing year prices per unit received by the producer from the first level of sales for the commodity.

*Cash receipts* mean the value of commodity marketings during the calendar year, irrespective of the year of production, as calculated by the Economic Research Service of the USDA.

*Certification of eligibility* means the date on which the Administrator (FAS) announces in the FEDERAL REGISTER or by Department news release, whichever comes first, a certification of eligibility to apply for trade adjustment assistance.

*Contributed importantly* means a cause which is important, but not necessarily more important than any other cause.

*County price maintained by the Secretary* means a daily price obtained from a USDA agency for the commodity and producer location, except that weekly or monthly prices may be used if daily prices are unavailable.

*Department* means the U.S. Department of Agriculture.

*Deputy Administrator* means the Deputy Administrator for Farm Programs of the Farm Service Agency (FSA).

*Family member* means an individual to whom a producer is related as spouse, lineal ancestor, lineal descendent, or sibling, including:

- (1) Great grandparent;
- (2) Grandparent;
- (3) Parent;
- (4) Children, including legally adopted children;
- (5) Grandchildren;
- (6) Great grandchildren;
- (7) Sibling of the family member in the farming operation; and
- (8) Spouse of a person listed in paragraphs (1) through (7) of this definition.

*Filing period* means the dates during which petitions may be submitted, as published in the FEDERAL REGISTER.

*FSA* means the Farm Service Agency of the U.S. Department of Agriculture.

*Group* means three or more producers who are not members of the same family.

*Impacted area* means one or more States of the United States.

*Marketing year* means the marketing season or year designated by the Administrator (FAS) with respect to an agricultural commodity. In the case of an agricultural commodity that does not have a designated marketing year, a calendar year will be used.

*National average price* means the average price paid to producers for an agricultural commodity in a marketing year as determined by the National Agricultural Statistics Service (NASS) of the U.S. Department of Agriculture, or